

Panaji, 15th January, 2009 (Pausa 25, 1930)

SERIES II No. 42



OFFICIAL GAZETTE

GOVERNMENT OF GOA

Note:- There are two Extraordinary issues to the Official Gazette, Series II No. 41 dated 8-1-2009, as follows:-

- 1) Extraordinary dated 8-1-2009 from pages 1003 to 1004 regarding Order from Department of Home (Home - General Division).
- 2) Extraordinary (No. 2) dated 12-1-2009 from pages 1005 to 1008 regarding Notices from Department of Elections (Goa State Election Commission).

GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Order

No. 8/69/200-09/D.Aagri/01

Ref.: 1) Relieving order No. 1/2(2)/GSHCL/2008-09/1141 dated 31-12-2008 from Goa State Horticulture Corporation Ltd., Tonca.

- 2) Joining Report of Shri Pramod Joshi, A AO, dated 1-1-2009.

Consequent upon the repatriation of Shri Pramod R. Joshi, Assistant Agriculture Officer from Goa State Horticulture Corporation Ltd., Tonca, Caranzalem on curtailing the deputation period is hereby posted at Zonal Agricultural Office, Ponda w.e.f. 01-01-2009 against the post of Assistant Agriculture Officer vacated by him while proceeding on deputation to Goa State Horticulture Corporation Ltd., Tonca.

S. S. P. Tendulkar, Director of Agriculture and Joint Secretary (ex officio).

Tonca-Caranzalem, 1st January, 2009.

Department of Animal Husbandry

Directorate of Animal Husbandry & Veterinary Services

Order

No. 2-2-79-AH (Part)/4507

Government is pleased to order the transfers of the following Dy. Director and Assistant Director with immediate effect in public interest.

Sr. No.	Name & designation of the Officials	Present posting	Proposed posting
1	2	3	4
1	Dr. A. H. Raikar, Dy. Director (SLBP)	Head Office	Dy. Director (Gyn.), I/c South.
2	Dr. Salvador S. Vaz, Asstt. Director (Gyn.)	Veterinary Hospital, Sonsodo	Head Office.

The post of Dy. Director (Gyn.) which is presently held by Dr. Savio S. Vaz is transferred to South. Dr. Savio S. Vaz shall hold the post of Dy. Director (SLBP) and shall hold the additional charge of Dy. Director (Epid.) till further orders.

By order and in the name of the Governor of Goa.
Dr. H. Faleiro, Director (AH) & ex officio Joint Secretary.
Panaji, 2nd January, 2009.

Order

No. 2-2-79-AH (Part)/4508

Government is pleased to order the transfers of the following Veterinary Officers with immediate effect in public interest.

Sr. No.	Name & designation of the Officials	Present posting	Proposed posting
1	2	3	4
1	Dr. Satyawan Naik, Veterinary Officer	Veterinary Dispensary, Valpoi	Veterinary Hospital, Sonsodo.

1	2	3	4
2	Dr. Narendra Naik, Veterinary Officer	Veterinary Dispensary, Bicholim	Veterinary Dispensary, Valpoi.
3	Dr. S. S. Betkekar, Veterinary Officer	Cattle Breeding Farm, Compordem	Veterinary Dispensary, Bicholim.
4	Dr. Tushar Gaunekar, Veterinary Officer	Veterinary Dispensary, Gavanem	Cattle Breeding Farm, Compordem.

By order and in the name of the Governor of Goa.

Dr. H. Faleiro, Director (AH) & ex officio Joint Secretary.

Panaji, 2nd January, 2009.

Corrigendum

No. 2/13/95/-AH/Part/2008-09/4545

Ref.: Read Order No. 2/13/95/-AH/Part I/2005-06/
/120 dated 02-02-2006.

The following words appearing in the 6th and 7th line in the first para of the order read above shall stand deleted:

"from the date of their ad hoc promotion"

and instead the following shall be added:

"with immediate effect".

By order and in the name of the Governor of Goa.

Dr. H. Faleiro, Director (AH) & ex officio Joint Secretary.

Panaji, 5th January, 2009.

Corrigendum

No. 2-2-79-AH (Part)/4548

Ref.: Read Order No. 2-2-79-AH (Part)/4508 dated
02-01-2009.

In pursuance to above referred to order in second para of column 4 the word "Proposed posting" is to be read as "New place of posting".

The rest remain unchanged.

By order and in the name of the Governor of Goa.

Dr. H. Faleiro, Director (AH) & ex officio Joint Secretary.

Panaji, 5th January, 2009.

Corrigendum

No. 2-2-79-AH/(Part)/4548(A)

Ref.: Read Order No. 2-2-79-AH (Part)/4507 dated
02-01-2009.

In pursuance to above referred to order in second para of column 4 the word "Proposed posting" is to be read as "New place of posting".

The rest remain unchanged.

By order and in the name of the Governor of Goa.

Dr. H. Faleiro, Director (AH) & ex officio Joint Secretary.

Panaji, 5th January, 2009.

Department of Education, Art & Culture

Directorate of Technical Education

Order

No. 16/4/44/SMB/DTE/2004/2752

Read: Letter No. Arch/PER/SMB/92/1173 dated
17th October, 2008 from Principal, Goa
College of Architecture, Altinho, Panaji-
Goa.

Ex post facto sanction of the Government is hereby accorded for grant of Extraordinary Leave for a period of 2 years to Shri Sanjay M. Belurkar, Lecturer, Goa College of Architecture, Altinho, Panaji-Goa w.e.f. 01-01-2009 to 31-12-2011 in terms of the Goa State Civil Service (grant of leave to seek employment in India or Abroad) Rules, 2002, notified by the Government vide notification No. 2/5/95-PER dated 02-01-2003.

- 1 The Extraordinary Leave is subject to the conditions stipulated in the said notification dated 02-01-2003.
- 2 Request for extension of E.O.L., if any, should reach this Directorate at least 3 months in advance, in order to enable to take necessary decision and communicate it before expiry of extraordinary leave already granted.
- 3 The grant of extension of E.O.L. shall be subject to the Government's decision.
- 4 Shri Sanjay M. Belurkar shall return to duty immediately on expiry of the leave period of extended period failing which action will be taken against him under the provision of CCS (C.C.A.) Rules, 1965.

By order and in the name of the Governor of Goa.

Vivek B. Kamat, Director of Technical Education &
ex officio Addl. Secretary.

Porvorim, 5th January, 2009.

Directorate of Archives & Archaeology

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Order

No. 1/19/Arch-Pub/2006/DAA-1699

Read: Order No. 1/19/Arch-Pub/2006/DAA-1577
dated 1st December, 2006.

With reference to aforesaid Order, the ad hoc promotion of Shri Bhalchandra N. Bandekar, Assistant Archivist Grade I to the post of Archivist (Publication) is further extended for a period of another six months from 01-06-2008 to 30-11-2008 as per the concurrence of the Commission vide their letter No. COM/II/11/4(1)/2002/1857 dated 8th December, 2008. Other terms and conditions mentioned in the order remains the same.

By order and in the name of the Governor of Goa.

M. L. Dicholkar, Director of Archives & Archaeology,
ex officio Joint Secretary.

Panaji, 30th December, 2008.

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Directorate of Art & Culture—
Order

Ref. No. NO.DAC/TA/2007/Part I/3847

Government is pleased to nominate following persons as Members on the General Council of the Tiatr Academy under clause 10(i) on the constitution of Tiatr Academy.

- 1 Smt. Sharon Mazarello.
- 2 Shri Marcelino de Betim.
- 3 Shri Roseferns.
- 4 Prince Jacob.
- 5 Shri Premanand Sangodkar.
- 6 Shri Mario Pereira.
- 7 Shri Joe Rose.
- 8 Smt. Jessie Dias.
- 9 Shri Mike Mehta.
10. Fr. Nevel Lourdes Sacramento Gracias.

By order and in the name of the Governor of Goa.

Prasad Lolayekar, Director of Art & Culture

Panaji, 6th January, 2009.

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Order

Ref. No. NO.DAC/TA/2007/Part I/3848

Government is pleased to appoint Shri Tomazinho Cardozo as President of the Tiatr Academy under clause 6(a) on the constitution of Tiatr Academy.

By order and in the name of the Governor of Goa.

Prasad Lolayekar, Director of Art & Culture

Panaji, 6th January, 2009.

Department of Industries

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Order

No. 10/5/2008-IND

Sub.: Constitution of the District Level Task Force Committee (TFC) for Prime Minister's Employment Generation Programme (PMEGP).

Ref.: Guidelines of PMEGP Scheme received from Government of India vide letter of Secretary to Government of India D. O. No. 4 (83) 2006-KVI dated 23-9-2008.

In pursuance of clause 11 (b) of the guidelines issued by the Ministry of Micro, Small and Medium Entrepreneurs, Government of India, New Delhi under letter mentioned in the preamble, the Government hereby constitutes the District Level Task Force Committee under the Chairmanship of District Collector of the Districts of North and South Goa as under:

- | | |
|--|--------------------|
| 1 Collector and District Magistrate of respective District | . Chairman. |
| 2 Respective District Lead Bank Manager | . Member. |
| 3 State Director, KVIC | . Member. |
| 4 Respective District Co-ordinator of Nehru Yuva Kendra | . Special Invitee. |
| 5 Director, MSME Development Institute Margao | . Special Invitee. |
| 6 Representative from 3 Panchayats to be nominated by respective Chairman of TFC by rotation | . 3 Members. |
| 7 General Manager, DIC | . Member. |
| 8 Chief Executive Officer, KVIB | . Convenor. |

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Industries).

Porvorim, 24th December, 2008.

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Department of Labour—
Notification

No. 28/1/2008-LAB/1783

The following Award passed by the Industrial Tribunal-cum-Labour Court-I at Panaji-Goa on 10-12-2008 in reference No. IT/72/07 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Labour).

Porvorim, 26th December, 2008.

IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. Ref. IT/72/07

Smt. Minika Salkar,
H. No. 16,
Silva Vaddo,
Goa Velha,
Tiswadi-Goa.

... Workman/Party I

V/s

M/s. Alto Type Setters,
Next to Hotel London Star,
Miramar,
Panaji-Goa.

... Employer/Party II

Party I/Workman is represented by Adv. S. Chodhekar.

Party II/Employer - Ex-parte

Panaji, dated: 10-12-2008.

A WARD

1. In exercise of the powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa by Order dated 20-09-2006 bearing No. 28/37/2007-LAB/635 referred the following dispute for adjudication to this Labour Court-II of Goa, Panaji-Goa.

SCHEDULE

- "(1) Whether Smt. Minika Salkar, Book Binder, can be construed as "workman" as per Clause (s) of Section 2 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) ?
- (2) If the answer to the issue No. (1) is in the affirmative, then, whether the action of the Management of M/s. Alto Typesetters, Panaji-Goa in refusing employment to Smt. Minika Salkar, Book Binder, with effect from 17-06-2001 is legal and justified ?
- (3) If the answer to issue No. (2) above is in the negative, then what relief the workman is entitled to ?"

2. On receipt of the reference a case was registered under No. IT/72/2007 and registered A/D notices were issued to the parties. In pursuance of the said notices, the parties put in their appearance. The Workman/Party I (for short, "workman") filed his statement of claim at Exhibit 6. Facts of the case in brief as pleaded by the workman are that the Employer/Party II (for short, "Employer") is an establishment dealing in the business of printing and binding and other typing jobs located next to Hotel London Star, Miramar, Panaji-Goa. She stated that she was working in the establishment of the Party II since the year 1988 as a book binder, continuously till she was refused employment from

17-06-2001. She contended that the business of the employer was initially located at the residence of the proprietor of the Party II, Shri Jawaharlal Furtado at Miramar and thereafter the same was shifted to the present Alto Typesetters, Miramar, Panaji-Goa along with all the machinery existing at the residence of the said proprietor. She contended that she was working continuously from the year, 1988 and was suddenly refused employment when as usual she reported for duty on 17-06-2001. She contended that at the time of refusal of her employment her monthly salary was Rs. 1,500/-. She contended that she was refused employment without any justifiable reasons or without conducting any enquiry and thus the action of the employer amounts to unfair labour practice and contrary to terms of her employment, under which she was employed with Party II. She contended that after her refusal of employment to her, she approached the employer on number of occasions to find out the reasons for refusing employment to her, however, the employer failed to hear her grievances and infact ordered her not to approach him in future. She contended that the sudden refusal of employment has disturbed her routine life and she is struggling to make both ends meet. She contended that since 17-06-2001 to date she is unemployed and without any earnings and that her husband has also lost his job with the Government of Goa. She contended that the employer although employed her as a book binder, did not issue her any appointment letter. She says that the employer prepared an appointment letter for her, but the same was not issued. She therefore prayed that she may be reinstated in service with backwages and consequential relief.

3. Although the employer was duly served with the registered A/D notice, he failed to remain present in this court without any sufficient cause and hence the court after giving ample opportunity, marked an ex-parte order against him and ex-parte proceedings were conducted.

4. The workman has examined herself solely in support of her case. She filed an affidavit-in-evidence. In her affidavit-in-evidence she deposed the same facts as alleged in her claim statement. She produced on record her letter dated 29-08-2001 addressed to the employer (Exhibit W/1) and report of failure of conciliation proceedings (Exhibit W/2). The employer had participated in the conciliation proceedings.

5. I have heard the arguments of the Id. Adv. S. Chodhekar for Party I. He argued that the workman, Smt. Minika Salkar, was working with the Party II as book-binder since the year 1988 continuously till she was refused employment with effect from 17-06-2001 on a consolidated monthly salary of Rs. 1,500/-. He argued that the employer has neither denied the case of the workman nor filed written statement. The employer has remained absent and as such facts of the case are deemed to have been admitted by the employer impliedly. He argued that the employer participated in the proceedings before the Asst. Labour Commissioner

and Conciliation Officer, Panaji-Goa has taken a stand that the workman left the job on her own in January, 2001 after taking all her dues. He further argued that even assuming that the workman has abandoned the service, it does not give any exception to hold an enquiry against the workman. In support of his contention, he relied upon a decision of Bombay High Court in case of Dhamaraj Vithoba Natekar v/s Unique Industries & ors. reported in 1996 I CLR 439. He argued that even the part-time workman is also a workman under Section 2 (s) of the Act and hence entitled for the relief.

6. I have carefully gone through the records of the case. Also considered various submission of the Id. Adv. A. Chodnekar appearing for the workman.

7. Admittedly the workman was working with the employer since 1988 till 17-06-2001 continuously. It is the case of the workman that she was working with the employer since 1988 continuously till she was refused employment from 17-06-2001 as a book-binder on a consolidated salary of Rs. 1,500/- and she was refused employment without any justifiable reasons nor any enquiry was conducted before refusing her employment. The aforesaid facts have not been denied by the employer. The aforesaid facts stands therefore proved. Now therefore, the question will arise as to whether the Party II is an industry as defined under Section 2 (j) of the Industrial Disputes Act, 1947. The terms "industry" has been defined under section 2 (j) of the Industrial Disputes Act, 1947, as under:

"Industry" means any business, trade, undertaking manufacture or calling of employers and includes calling, service, employment, handicraft or industrial occupation or avocation of workmen.

8. In the present case, it has come in the evidence of the workmen that the Party II is an establishment dealing in the business of printing and binding and other typing jobsetc., hence I hold that the Party II is an industry as defined under Section 2 (j) of the Industrial Act, 1947.

9. It is the case of the workman that she was working in the establishment of the Party II since 1988 as a book-binder continuously, which facts have not been denied by the employer in these proceedings. A question as to whether "book-binder" is a workman as defined under Section 2 (s) of the Industrial Disputes Act, 1947, has to be determined. The term workman has been defined under Section 2 (j) of the Industrial Disputes Act, 1947 as under:

"Workman" means any person including an apprentice employed in any industry to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, and for the purposes of any proceeding under this Act in relation to an industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute, or

whose dismissal, discharge or retrenchment has led to that dispute, does not include any such person—

- (i) *who is subject to the Air Force Act, 1950 (45 of 1950), or the Army Act, 1950 (46 of 1950), or the Navy Act, 1957 (62 of 1957); or*
- (ii) *who is employed in the police service or as an officer or other employee of a prison; or*
- (iii) *who is employed mainly in a managerial or administrative capacity; or*
- (iv) *who, being employed in a supervisory capacity, draws wages exceeding one thousand six hundred rupees per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature.*

10. In the present case, the workman was working as a book-binder. As such her primary duty is to bind the books which is manual and skilled work. Hence I hold that the Workman/Party I is a workman as defined under Section 2 (s) of the Industrial Disputes Act, 1947.

11. The workman has been employed continuously from 1988 to 17-06-2001. It is also proved that the refusal of the employment by the employer is without any justifiable reason or without holding any enquiry. The employer has also chosen not to avail of the opportunity to lead any evidence/material in this proceedings. In the circumstances, it will be fair and proper to provide relief to the workman by directing the employer to pay wages at the rate of Rs. 1,500/- with simple interest at the rate of 6% per annum from 17-06-2001 till the date of passing of the present award and to grant reinstatement in employment with effect from the passing of this award. Should the Employer fail to grant re-instatement on account of reasons beyond the control of the employer or due to force majeure, and or on account of fire, flood, failure of electricity, earthquake, then the employer to pay to the workmen a sum equivalent to half the rate of wages by way of retrenchment compensation.

In the circumstances, I pass the following order:

ORDER

- (1) It is adjudicated that Smt. Minika Salkar, book-binder, is a workman as defined under Section 2 (s) of the Industrial Disputes Act, 1947.
- (2) It is further adjudicated that the action of the Management of M/s. Alto Typesetters, Panaji-Goa in refusing employment to Smt. Minika Salkar, book binder, with effect from 17-06-2001 is illegal and unjustified.
- (3) It is hereby ordered that the wages be paid for the period 17-06-2001 till 16-12-2008 quantifiable at Rs. 1,35,000/- (Rupees one lakh thirty five thousand only) at the rate of Rs. 1,500/- per month. The said amount will also

attract simple interest at the rate of 6% per annum commencing from 17-06-2008 till the date of its actual payment.

- (4) It is ordered that the workman, Smt. Minika Salkar be reinstated in employment with effect from 17-12-2008. Should the employer fail to re-instate the workman on account of the operation of Section 2 (oo) of the Industrial Disputes Act, 1947, after the date of this order, in that event the employer is directed to pay wages in accordance with Section 25-F of Industrial Disputes Act, 1947.
- (5) No order as to costs.
- (6) The Award be submitted to the Government of Goa as per the provisions contained under Section 15 of the Industrial Disputes Act, 1947.

S/-
(Suresh N. Narulkar),
Presiding Officer,
Labour Court-II.

Notification

No. 28/1/2008-LAB/1775

The following Award passed by the Industrial Tribunal-cum-Labour Court-I at Panaji-Goa on 20-11-2008 in reference No. IT/111/07 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Labour).

Porvorim, 26th December, 2008.

IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. Ref. IT/111/07

Shri Anant B. Mahajan,
Sai Krupa Apartments,
Block "B", Flat No. F-2,
Near Kamleshwar Garage,
Khorlim, Mapusa-Goa.

... Workman/Party I

V/s

M/s. Shri Hanuman Natyagrah,
(Shree Maharudra Saunsthan),
Mapusa, Bardez-Goa.

... Employer/Party II

Party I/Workman is represented by Adv. Suhas Naik.

Party II/Employer is represented by Adv. Sunil Sirsat.

Panaji, dated: 20-11-2008.

A WARD

1. In exercise of the powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa by Order dated 09-11-2007 bearing No. 28/43/2007-LAB/1100 referred the following dispute for adjudication to the Industrial Tribunal of Goa at Panaji-Goa.

SCHEDULE

"(1) Whether the action of the Management of M/s. Shri Hanuman Natyagrah (Shree Maharudra Saunsthan) Mapusa, Bardez-Goa in terminating the services of Shri Anant B. Mahajan, Manager with effect from 18-09-2005 is legal and unjustified ?

(2) If not, to what relief the workman is entitled ?"

2. On receipt of the reference a case was registered under No. IT/111/07 and registered A/D notices were issued to the parties. In pursuance of the said notices, the parties put in their appearance.

3. The Workman/Party I (for short "Workman") filed his statement of claim at Exhibit 8. Facts of the case in brief as pleaded by the workman are that he was employed with the Employer/Party II (for short "Employer") as an "Officer" with effect from 11-11-1997 till the date of his illegal termination of his services with effect from 18-08-2005 with clean service record. He contended that he was doing duties such as taking the booking of the employer hall which they used to give to the general public on rental basis for wedding parties, dramas, orchestra and other public meetings and functions, receiving cash from various customers towards the booking of hall and was discharging them a valid receipt thereof, writing of accounts books, carrying out his duties under the supervision and control of the employer and was doing miscellaneous jobs such as depositing of cash in banks, etc. He contended that the nature of duties performed by him are squarely covered under the definition of Section 2(s) of the Industrial Disputes Act, 1947. He contended that suddenly on 18-09-2005, the employer terminated his services by a written communication duly signed by its President alleging that his services are not required by the Organization. He contended that the President of the Party II saunsthan has no authority or locus standi to terminate his services and the entire action of the alleged President of the Saunsthan in terminating his services is illegal, unjustified and bad in law. He contended that since the employer has failed to pay any compensation as required to pay under Section 25-F of the Industrial Disputes Act, 1947, the termination of his services is illegal, unjustified and bad in law. He contended that Shri Maharudra Saunsthan is an organization which derives profit by giving on hire and rent the hall to the general public and earns huge profits. He contended that thereafter he raised an Industrial Dispute before the Asst. Labour Commissioner, Government of Goa, Mapusa, Bardez-Goa demanding reinstatement and full backwages which ended in failure.

4. The Employer/Party II had filed written statement on 04-06-2008 which is at Exhibit 12 objecting to the claim statement. The employer objected the claim statement filed by the workman by way of preliminary objection, alleging that this court has no jurisdiction to try and decide the present reference and that there exists no industrial dispute as defined under Industrial Disputes Act, 1947. He also contended that the workman had initially approached Asst. Labour Commissioner, Mapusa with an application dated 03-11-2005 for non-payment of his legal dues and gratuity and that no issue of alleged termination was adjudicated before the Asst. Labour Commissioner, Mapusa. He further contended that the claim statement filed by the workman is filed in breach rather in compliance of law, and to circumvent the due process of law.

5. They stated that the workman was appointed as a "Manager" vide Appointment Letter dated 29-12-1997 to manage and administer their overall affairs on a monthly salary of Rs. 2,000/- and an additional allowance of Rs. 20/- per programme held in Hanuman Natyagrah, the sister concern of them, after his retirement from M/s. Chowgule Industries, after taking into consideration pitiable condition and his experience, inspite of the facts that he was of 60 years of age at the relevant time. They contended that the attitude and conduct of the workman towards their office bearers underwent a complete change somewhere in the first week of August, 2005 when the then Secretary and Treasurer on suspicion went through the records and after verifying the same was shocked to notice several irregularities, illegalities, mismanagement, negligent and misappropriation committed by the workman especially with respect to the bookings of Hanuman Natyagraha their sister concern. They contended that a book of ticket selling commission was found missing from the records of the employer.

6. They contended that the workman by certain acts of omission with sole motive of making wrongful gain to him and wrongful loss to them and the said acts of the workmen amounts to cheating, forgery, fabricating records and criminal breach of trust under the law. They contended that they suffered a heavy loss of Rs. 1,54,100/- (Rupees one lakh, fifty four thousand and one hundred only) due to the negligent, unlawful and breach of trust committed by him. They contended that they therefore decided to terminate the services of the workmen as their Manager and in pursuance thereof issued a notice of termination of services on 18-08-2005 to him. They contended that the workmen in front of their Managing Committee admitted the said loss caused to them due to illegal, negligent acts and misappropriation committed by him and requested for four month's time to make good the loss caused to them. They contended that inspite of promising to make good loss caused to them, the workmen with his malafide intension and oblique motive approached the Asst. Labour Commissioner by making blatantly false and fabricated case and by concealing the remedial facts in order to harass them and to evade the payment of

the said amount of Rs. 1,54,100/- (Rupees one lakh, fifty four thousand and one hundred only) to them. They contended that on 17-09-2005 in terms of the notice of termination of the managerial services of the workmen, he handed over the entire charge to the then President and the cheque for an amount of Rs. 1,870/- was duly paid to him for his service rendered to the employer for the period from 01-09-2005 to 17-09-2005. They contended that the claim of the workmen squarely falls outside the purview of the Industrial Disputes Act, 1947 and hence the question as to whether there was illegal termination or paying any retrenchment compensation to the workmen does not arise. They denied the case of the workmen in toto and finally prayed for the dismissal of the present reference. Thereafter the workmen filed his re-joinder on 16-09-2008 denying the case of the employer, which is at Exhibit 14.

7. On the basis of the pleadings filed by the respective parties, this court framed the following issues:

- 1 Whether the Workman/Party I proves that he is a "Workmen" as defined under Section 2(s) of the Industrial Disputes Act, 1947 ?
- 2 Whether the Workman/Party I proves that he was appointed as an "Officer" by the Employer/Party II w.e.f. 11-11-1997 ?
- 3 Whether the Workman/Party proves that there was employer-employee relationship between the Party II and himself ?
- 4 Whether the Workman/Party I proves that termination of his services by the Employer/Party II w.e.f. 18-09-2005 is illegal and unjustified and bad in law ?
- 5 Whether the Employer/Party II proves that the present Order of Reference issued by the Government of Goa is bad in law as alleged in para (a) to (g) of his written statement as preliminary objection ?
- 6 Whether the Party I proves that he is entitled for any relief ?
- 7 What Award ?

8. Thereafter the workman filed his list of documents and list of witnesses which is at Exhibit 16 and case was adjourned and fixed for filing an affidavit in evidence of the workman on 30-10-2008. On 30-10-2008, the Id. Advocates appearing for both the parties orally submits that they are trying for an amicable settlement between the parties and hence case was adjourned and fixed for filing an affidavit-in-evidence/settlement to 06-11-2008. On 06-11-2008, both the parties seeks time to file the terms of settlement and accordingly case was adjourned to 20-11-2008. On 20-11-2008, the Id. Advocates for the both parties alongwith their respective parties filed jointly application duly signed by them stating that they have amicably settled the matter on following grounds and prayed for no dispute award be passed.

1 The Party No. II paid sum of Rs. 22,000/- (Rupees twenty thousand only) in full and final settlement of all the legal dues of the Party No. 1 by cheque No. 049558 dated 20-11-2008 drawn on The Mapusa Urban Co-op. Bank of Goa Ltd., Mapusa-Goa.

2 The Party No. I shall have no other claim of whatsoever nature against the Party No. II.

8. I have carefully gone through the joint application dated 20-11-2008 filed by both the parties at Exhibit 17 and I am satisfied that the terms of settlement is certainly in the interest of the workman. Therefore, I accept the submissions made by the parties and pass no dispute award in terms of settlement dated 20-11-2008 which is at Exhibit 17 and hence pass the following award.

ORDER

- 1 It is hereby held that the reference does not survive in view of the settlement arrived at between the parties as per joint application dated 20-11-2008 at Exhibit 17.
- 2 No order as to costs.
- 3 Inform the Government accordingly.

S/-

(Suresh N. Narulkar),
Presiding Officer,
Labour Court-II.

Notification

No. 28/1/2008-LAB/1804

The following Award passed by the Industrial Tribunal-cum-Labour Court-I at Panaji-Goa on 26-11-2008 in reference No. IT/100/07 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

B. S. Kudalkar, Under Secretary (Labour).

Porvorim, 31st December, 2008.

IN THE LABOUR COURT-II
GOVERNMENT OF GOA
AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. Ref. IT/100/07

Shri Uttam V. Naik,
C/o Pandurang R. Gadekar,
House No. 174,
Canca Bandh,
Parra, Bardez-Goa.

... Workman/Party I

V/s

M/s. Senior Roadlines,
Senior Groups,
Kundaikar Nagar,
Dada Vaidhya Road,
Panaji-Goa.

... Employer/Party II

Party I/Workman - Absent.

Party II/Employer - Absent.

Panaji, dated: 26-11-2008.

A WARD

1. In exercise of the powers conferred by Section 10 (1)(d) of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa by Order dated 11-10-2007 bearing No. 28/34/2007-LAB/967 referred the following dispute for adjudication to the Industrial Tribunal of Goa, Panaji-Goa.

SCHEDULE

"(1) Whether the action of the Management of M/s. Senior Roadlines, Senior Groups, Panaji-Goa in terminating the services of Shri Uttam V. Naik, Branch-in-charge with effect from 02-03-2003 is legal and justified ?

(2) If not, to what relief the workman is entitled ?"

2. On receipt of the reference, a case was registered under No. IT/100/2007 and registered A/D notice was issued to the parties. In pursuance of the said notice, the parties put in their appearance. It appears from the Roznama maintained in the court file that the Workman/Party I (for short "workman") appeared on the first date of hearing i.e. on 10-12-2007 and subsequently on 17-01-2008 and sought time to engage the services of lawyer on both occasions and subsequently remained absent thereby showing disinterest in pursuing the reference. Thus the workman neither remained present nor could also file his statement of claim without any sufficient reason even after giving ample opportunities to him.

3. It is well settled law that if the Party challenging the illegality of an order, the burden of proof lies upon him to prove the illegality of the said order and if no evidence is produced; the Party invoking jurisdiction of the court must fail. In this case, the Government of Goa had referred a dispute to the Industrial Tribunal, Panaji-Goa at the instance of the aggrieved workman i.e. the Party No. I. Therefore, the burden lies on the Party I to set up ground challenging the validity of termination order and prove that the termination order is illegal. The Party I however, neither filed a claim statement nor produced any evidence. With the result that there is no material before this court for recording a finding that the order of termination passed by the Party II/Employer is illegal or unjustified. In the absence of evidence, the court has no jurisdiction to hold that

the order of termination is illegal. With this I proceed to adjudicate to this court by passing following order:

ORDER

- 1 It is hereby adjudicated that the action of the Management of M/s. Senior Roadlines, Senior Groups, Panaji-Goa in terminating the services of Shri Uttam V. Naik, Branch-in-charge, with effect from 02-03-2003 is legal and justified.
- 2 It is hereby adjudicated that the Party I/ Workman is not entitled to any relief.
- 3 No order as to costs.
- 4 The Award be submitted to the Government of Goa as per the provisions contained under Section 15 of the Industrial Disputes Act, 1947.

S/-

(Suresh N. Narulkar),
Presiding Officer,
Labour Court-II.

◆◆◆

Department of Law & Judiciary

Law (Establishment) Division

Court of Principal District & Sessions Judge North Goa, Panaji

—

List of Holidays and vacations for the year, 2009 approved by the Hon'ble High Court for the District and Subordinate Courts in North Goa District

Sr. No.	Holidays	Date	Days of the Week
1	2	3	4
1	New Year Day	01-01-2009	Thursday
2	(*) Moharrum	08-01-2009	Thursday
3	Republic Day	26-01-2009	Monday
4	Chhatrapati Shivaji Maharaj Jayanti	19-02-2009	Thursday
5	Mahashivratri	23-02-2009	Monday
6	(*) Id-e-Milad	10-03-2009	Tuesday
7	Holi (Dhuli Vandan)	11-03-2009	Wednesday
8	Gudi Padwa	27-03-2009	Friday
9	Ram Navami	03-04-2009	Friday
10	Good Friday	10-04-2009	Friday
11	Dr. Babasaheb Ambedkar Jayanti	14-04-2009	Tuesday
12	Maharashtra Day/ /May Day	01-05-2009	Friday
13	Gopal Kala	14-08-2009	Friday
14	Independence Day	15-08-2009	Saturday
15	Ganesh Chaturthi (Second day)	24-08-2009	Monday
16	(*) Ramzan-Id/Id-ul-Fitr	21-09-2009	Monday
17	Dasara	28-09-2009	Monday
18	Mahatma Gandhi Jayanti	02-10-2009	Friday

1	2	3	4
19.	Diwali (additional day for Diwali)	16-10-2009	Friday
20.	Diwali	17-10-2009	Saturday
21.	Bhaubij	19-10-2009	Monday
22.	Feast of St. Francis Xavier	03-12-2009	Thursday
23.	Goa Liberation Day	19-12-2009	Saturday
24.	Christmas Eve	24-12-2009	Thursday
25.	Christmas	25-12-2009	Friday

No days have been proposed as holidays on account of:

1	Hartalika Pujan/Ganesh Chaturthi (First Day)	23-08-2009	Sunday
2	Balipratipada	18-10-2009	Sunday
3	(*) Bakari-Id (Id-Uz-Zuha)	28-11-2009	4th Saturday

Summer Vacation

From: 06-05-2009 to 07-06-2009 (Both days inclusive)

Winter Vacation

From: 21-12-2009 to 27-12-2009 (Both days inclusive)

Note:-

- 1 (*) The holidays at Sr. Nos. 2, 6, 16 and at Sr. No. 3 (Bakari-Id/Id-Uz-Zuha) under "No days have been proposed as holidays on account of ", will be availed on the days the Government of Goa declares public holidays.
- 2 Please note that the Hon'ble High Court has clarified that these notified holidays and vacations are likely to be modified in near future as per the recommendations of Shetty Commission and directions issued by the Hon'ble Supreme Court of India in Writ No. 1022/89 (All India Judges' Association V/s. Union of India and others).

U. V. Bakre, Principal District & Sessions Judge.

Panaji, 6th January, 2009.

◆◆◆

Department of Personnel

Order

No. 6/1/2002-PER (Part)

Shri Shivaji B. Dessai, Chief Officer, Quepem Municipal Council shall hold charge of the post of Chief Officer, Sanguem Municipal Council in addition to his own duties with immediate effect, thereby relieving Shri Parag M. Nagarcekar, Mamlatdar, Sanguem of the additional charge, until further orders.

By order and in the name of the Governor of Goa.

Vassudev N. Shetye, Under Secretary (Personnel-II).

Porvorim, 2nd January, 2009.

Order

No. 5/23/77-PER

- Read: 1. Government Order No. 13/22/2006-PER dated 29-09-2006.
2. Government Order No. 13/22/2006-PER dated 25-09-2007.
3. Government Order No. 13/22/2006-PER dated 31-12-2007.

Government of Goa is pleased to grant further extension in service to Shri Nirmal Braganza, Chief Electrical Engineer for a further period of one year with effect from 01-01-2009 to 31-12-2009.

The extension is subject to termination without assigning any reasons at any time during the period of extension.

This issues with the approval of Goa Public Service Commission vide its letter No. COM/II/11/16(1)/92-07//1951 dated 29-12-2008.

This supersedes the order No. 5/23/77-PER dated 30-12-2008.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 2nd January, 2009.

Order

No. 6/2/2002-PER (Part-I)

Shri Sudin A. Natu, Mamlatdar, Quepem shall hold charge of the post of Chief Officer, Curchorem-Cacora-Municipal Council in addition to his own duties with immediate effect and until further orders.

Consequently, Smt. Laura Biritto e. Madre de Deus, Chief Officer, Curchorem-Cacora-Municipal Council shall report to the Personnel Department for further posting.

Smt. Deus shall draw her pay and allowances on the "Leave and Training Reserve" post during the period of her awaiting posting.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 5th January, 2009.

Order

No. 6/1/2005-PER/Vol.I

Governor of Goa is pleased to order transfer of Shri Swapnil M. Naik, Additional Collector-I, North, Panaji and post him as Director of Tourism with immediate effect, in public interest.

Shri Sunil P. Masurkar, Director of Civil Supplies and Price Control shall hold charge of the post of Additional Collector-I, North, Panaji in addition to his own duties with immediate effect and until further orders.

Consequently, Shri Elvis P. Gomes, Director of Tourism shall report to Personnel Department for further posting.

Shri Gomes shall draw his salary on the "Leave and Training Reserve" post during the period of his awaiting posting.

By order and in the name of the Governor of Goa.

Yetindra M. Maralkar, Joint Secretary (Personnel).

Porvorim, 6th January, 2009.

Order

No. 6/3/2008-PER

Shri Prasanna A. Acharya, Additional Collector-I, South shall hold charge of the post of Special Land Acquisition Officer, Mormugao Port Trust, Mormugao, in addition to his own duties with immediate effect and until further orders.

By order and in the name of the Governor of Goa.

Umeshchandra L. Joshi, Under Secretary (Personnel-I).

Porvorim, 8th January, 2009.

Department of Public Health**Order**

No. 8/22/92-I/PHD

Government is pleased to accept the resignation dated 16-08-2008 tendered by Dr. Maria Lena Gracias Da Cunha, Medical Officer attached to Cottage Hospital, Chicalim under Directorate of Health Services with effect from 01-05-2007 (b.n.). She stands relieved from the said post from the same date i.e. 01-05-2007 (b.n.).

By order and in the name of the Governor of Goa.

Jessie Freitas, Under Secretary (Health-II).

Porvorim, 5th January, 2009.

Department of Revenue**Notification**

No. 23/42/2008-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for widening of road between kms. 5/450 to kms. 7/00 of NH-17B.

Now therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor

or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under Clause (c) of Section 3 of the said Act, the Land Acquisition Officer, PWD (Cell), Altinho, Paraji-Goa to perform the functions of a Collector, North Goa District, Paraji-Goa under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

- 1) The Collector, North Goa District, Paraji-Goa.
- 2) The Land Acquisition Officer, PWD (Cell), Altinho, Paraji-Goa.
- 3) The Executive Engineer, W.D. XV(NH), PWD, Ponda-Goa.
- 4) The Director of Settlement and Land Records, Paraji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Land Acquisition Officer, PWD (Cell), Altinho, Paraji-Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka : Ponda

Village: Borim

Survey No./ Sub. Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3
276/1 H:	Comunidade Borim.	65
T: 1	Vithu Ulho Gaude.	
	2 Shankar Budhu Gaude.	
	3 Sonu Budhu Gaude.	
	4 Katu Babani Gaude.	
	5 Govind Jiva Gaude.	
	6 Vasu Budhu Gaude.	
276/2 H:	Comunidade Borim.	45
T: 1	Vithu Ulho Gaude.	
	2 Shankar Budhu Gaude.	
	3 Sonu Budhu Gaude.	
	4 Katu Babani Gaude.	
	5 Govind Jiva Gaude.	
	6 Vasu Budhu Gaude.	

1	2	3
276/3 H:	Comunidade Borim.	72
T: 1	Vithu Ulho Gaude.	
276/4 H:	Comunidade Borim.	35
T: 1	Shanker Budhu Gaude.	
276/5 H:	Comunidade Borim.	35
T: 1	Sonu Budhu Gaude.	
276/6 H:	Comunidade Borim.	35
T: 1	Kutu Babani Gaude.	
276/7 H:	Comunidade Borim.	45
T: 1	Govind Jiva Gaude.	
276/8 H:	Comunidade Borim.	35
T: 1	Vasu Budhu Gaude.	
276/9 H:	Comunidade Borim.	45
T: 1	Vithu Ulho Gaude.	
276/10 H:	Comunidade Borim.	105
T: 1	Shankar Budhu Gaude.	
276/11 H:	Shri Nav Durga Borim.	60
276/12 H:	Shri Devi Navadurga Borim.	14
276/13 H:	Shri Ramchandra Sinai Borkar.	84
	Shrikant S. S. Borkar.	
	Shanu S. S. Borkar.	
	Suvassini S. S. Borkar.	
	Gurudas Ganesh Naik.	
276/14 H:	Gopinath Vaman P. Sawkar.	58
	Subhash Narayan P. Sawkar.	
	Yeshwant Narayan P. Sawkar.	
276/15 H:	Comunidade Borim.	28
T: 1	Vithu Ulho Gaude.	
275/1 H:	Gopinath Vaman Prabhu Sawkar.	50
	Laxmibai Narayan Prabhu Sawkar.	
	Subhash Narayan Prabhu Sawkar.	
	Yeshwant Narayan Sawkar.	
275/2 H:	Gopinath Vaman Prabhu Sawkar.	400
	Laxmibai Narayan Prabhu Sawkar.	
	Subhash Narayan Prabhu Sawkar.	
	Yeshwant Narayan Prabhu Sawkar.	
	Govind Naru Naik.	
T:	Guna Khumano Naik.	
275/3 H:	Gopinath Vaman Prabhu Sawkar.	45
	Laxmibai Narayan Prabhu Sawkar.	
	Subhash Narayan Prabhu Sawkar.	
	Yeshwant Narayan Prabhu Sawkar.	
T:	Devu Keshav Naik.	
275/4 H:	Gopinath Vaman Prabhu Sawkar.	43
	Laxmibai Narayan Prabhu Sawkar.	
	Subhash Narayan Prabhu Sawkar.	
	Yeshwant Narayan Prabhu Sawkar.	
T:	Loku K. Naik.	
275/5 H:	Gopinath Vaman Prabhu Sawkar.	15
	Laxmibai Narayan Prabhu Sawkar.	
	Subhash Narayan Prabhu Sawkar.	
	Yeshwant Narayan Prabhu Sawkar.	
T:	Uttam Naru Naik.	
275/6 H:	Gopinath Vaman Prabhu Sawkar.	20
	Laxmibai Narayan Prabhu Sawkar.	
	Subhash Narayan Prabhu Sawkar.	
	Yeshwant Narayan Prabhu Sawkar.	
T:	Datta Ram Naik.	
275/7 H:	Keshav Vyankatesh Sawkar.	70
T:	Narayan Rupo Gaude.	
275/8 H:	Gopinath Vaman Prabhu Sawkar.	50

1	2	3	1	2	3
	Laxmibai Narayan Prabhu Sawkar. Subhash Narayan Prabhu Sawkar. Yeshwant Narayan Prabhu Sawkar.			Vasant Kuttu Paravar. Nonu Chudu Paravar. Mahadev Chudu Paravar. Shiva Khemu Paravar.	
	T: Naru Govind Naik.			Damodar Demu Paravar. The Executive Engineer, WD XVIII (R), P.W.D., Ponda.	
275/9	H: Keshav Venkatesh Sawkar.	23	274/21	H: Sagun Bhikaro Mahale.	23
	T: Bajanabai Babu Naik.			Damodar Mahale.	
275/10	H: Shri Devi Navadurga Borim.	155	273/1	H: Gopinath Vaman Prabhu Sawkar.	500
	T: Vithu Ulho Gaude.			Subhash Narayan Prabhu Sawkar. Yeshwant Narayan P. Sawkar. M/s. Vishal Engineering Work.	
275/11	H: Shri Devi Navadurga Borim.	100	273/2	H: Bhisso Laxman Parpati.	200
	T: Vasu Budho Gaude.			Raghu Govind Parpati. Laxman Narayan Parpati.	
275/12	H: Shri Devi Navadurga Borim.	35	272/1	H: Jaiwant Bhisso Parpati.	22
	T: Vassu Ulho Gaude.		272/2	H: Raghu Govind Parpati.	20
274/1	H: Shri Devi Navadurga Borim.	103	272/3	H: Laximan Kashinath Parpati.	25
	T: Hari Chandra V. Gaude.		272/4	H: Tukaram Kashinath Parpati.	31
274/2	H: Comunidade Borim.	62	272/5	H: Gopal Vitthal Parpati.	31
	T: Ram Jivu Gaude.		272/6	H: Shrikant Datta Parpati.	70
274/3	H: Comunidade Borim.	62		Damodar Narayan Parpati. Shitaram Shiva Parpati.	18
	The Executive Engineer, WD XVIII (R), P.W.D., Ponda.		272/7	H: Laxmibai Ramnath Parpati.	
	T: Poto Chilú Gaude.		271/1	H: Shrikant Datta Parpati.	72
274/4	H: Comunidade Borim.	55		Damodar Narayan Parpati.	
	The Executive Engineer, WD XVIII (R), P.W.D., Ponda.		271/2	H: Sitaram Shivu Parpati.	140
	T: Gurudas Ganesh Naik.		271/3	H: Shrikant Datta Parpati.	55
274/5	H: Venktesh Rajaram Prabhu Desai.	72		Damodar Narayan Parpati.	
274/6	H: Shri Devi Navadurga Borim.	35	271/4	H: Sitaram Shivu Parpati.	50
	T: Nilu Savalo Gaude.		271/5	H: Bhisso Laxman Parpati.	150
274/7	H: Gopinath Vaman Prabhu Sawkar.	50		Laxman Narayan Parpati. Raghu Govind Parpati. Vishnu Govind Parpati.	
	Subhash Narayan Prabhu Sawkar. Yeshwant Narayan Prabhu Sawkar.		271/6	H: Gajanan Madu Parpati.	137
	T: Nagesh Vithu Naik.			Gopal Vitthal Parpati. Tukaram Kashinath Parpati.	
274/8	H: Anant Shankar Bhat Upadhye.	36	269/1	H: Comunidade Borim.	425
	Nilkant Suryaji Shenvi Borkar. Ladu Shivram Devvari.			T: Diyog Gomes.	
	T: Gopal Raghunath Naik.		268/1	H: Laxmibai Narayan Prabhu Sawkar.	225
274/9	H: Comunidade Borim.	50		Yeshwant Narayan Prabhu Sawkar. Subhash Narayan Prabhu Sawkar. Gopinath Vaman Sawkar.	
	T: Pandari Shiva Naik.			Krishnanath Madu Naik.	
274/10	H: Comunidade Borim.	45	268/2	H: Anant Sonu Chari.	510
	T: Bhisso Laximan Naik.			Ashok Raju Chari. Narayan Balkrishna Chari. Sitaram Chari.	
274/11	H: Comunidade Borim.	53		Jayaram Anant Prabhu Dessai.	185
	T: Govind Ramchandra Satarkar.		268/3	H: Laxmibai N. P. Sawkar.	570
274/12	H: Comunidade Borim.	56	268/4	H: Yeshwant N. P. Sawkar.	
	T: Vasu Bhudo Gaude.			Subhash N. P. Sawkar. Gopinath Vaman Sawkar. Maria Nazar Goes. Madhuri Anant Naik. Nazario Santan Goes. Baltazar Goes. Perpetua Fernandes. Maria Lovtina Dias. Antonio Goes. Menino Goes.	
274/13	H: Comunidade Borim.	80			
	T: Nazareth Santan Goes.				
274/14	H: Comunidade Borim.	75			
	T: Nami Chilú Gaude.				
274/15	H: Comunidade Borim.	85			
	T: Ramchandra Babuso Gaude.				
274/16	H: Anant Vishnu Mahale.	67			
274/17	H: Narayan Damodar Mahale.	53			
274/18	H: Ratnakar Shankar Mahale.	60			
	Harichandra Balkrishna Mahale Borkar.				
274/19	H: Ranganath Krishna Mahale.	45			
	Krishnanath Nonu Mahale. Shamsundar Nanu Mahale.				
274/20	H: Ladu Rupo Paravar.	385			
	Uttam Pupo Paravar. Bhikaro Bhanu Paravar. Datta Kuttu Paravar.				

1	2	3
267/1 H:	Joao Salvador Rodrigues.	700
379/0 H:	Jack Sequeira.	25
5/0 H:	Dr. Jack Sequeira.	1170
6/2 H:	Anand Narayan Borkar Parit.	340
	Anant Parit Borkar.	
	Anant Macdu Parit Borkar.	
6/4 H:	Anand Narayan Borkar Parit.	150
	Vishnu Narayan Parit Borkar.	
7/1	Govind Sakharan Shenvi Borkar.	250
	Vithal Sagun Shenvi Borkar.	
7/2	Govind Sakharan Shenvi Borkar.	
	Vithal Sagun Shenvi Borkar.	
T:	Raghu Pandurang Gaonkar.	
7/3 H:	Govind Sakharan Shenvi Borkar.	

Boundaries :

North : Road, S. No. 7.

South : Nalla, S. No. 276/1, 2, 3, 4, 276/5,
6, 7, 8, 9, 10, 15, 11, 12, 13, 14,
275/1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
274/1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,
12, 13, 14, 15, 16, 17, 18, 19, 20,
21, 273/1, 2, 272/1, 2, 3, 4, 5, 6, 7,
271/1, 2, 3, 4, 5, 6, 269/1, 268/1,
2, 3, 4.

South : S. No. 267/1, Road.

East : S. No. 7, 6, 2, 4, 5, 379, 267.

West : Road.

Total: 9390

By order and in the name of the Governor of Goa.

D. M. Redkar, Under Secretary (Revenue-I).

Porvorim, 2nd January, 2009.

Notification

No. 23/1/2009-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for construction of new road from Orando to Kerem road in V.P. Chodan, Tiswadi Taluka.

Now therefore, the Government hereby notifies under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the

sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this notification, will under clause (seventh) of Section 24 of the said Act be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of Section 3 of the said Act, the Deputy Collector (Rev.), North Goa District, Panaji-Goa to perform the functions of a Collector, North Goa District, Panaji-Goa under the said Act in respect of the said land.

5. The Government also authorizes under sub-section (2) of Section 4 of the said Act, the following Officers to do the acts, specified therein in respect of the said land.

- 1) The Collector, North Goa District, Panaji-Goa.
- 2) The Deputy Collector (Rev.), North Goa District, Panaji-Goa.
- 3) The Executive Engineer, WD II, PWD, Panaji-Goa.
- 4) The Director of Settlement and Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector (Rev.), North Goa District, Panaji-Goa for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka : Tiswadi		Village: Chorao	
Survey No./ /Sub-Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.	
1	2	3	
165/3 part	O: 1 Alex Olavo Telles. 2 Luiza Alba Telles. Two	360.00	
165/4 part	O: 1 Alex Olavo Telles. 2 Luiza Alba Telles. Two	1250.00	
	T: 1 Vithal Manohar Cundaikar.		
168/1 part	O: 1 Padmanth Kamat Tarkar. CR.: Shambu Rama Surlikar.	400.00	
168/2 part	O: 1 Anil V. Madgaonkar.	500.00	
169/2 part	O: 1 Padmanth Kamat Tarkar. CR.: Shambu Rama Surlikar.	85.00	
170/2 part	O: 1 Anil V. Madgaonkar.	1500.00	
170/3 part	O: 1 Joseph Reggi D'Silva. CR.: 1 Vithal Manohar Cundaikar. 2 C.S.O. Vithal Manohar Cundaikar. 3 C. S. O. Dattaram Viro Madaikar.	180.00	

1	2	3
	4 H. O. Dattaram Viro Madaikar.	
	5 H. O. Krishna Pandurang Madaikar.	
171/1 part	O: 1 Anton Lourenco Abreau. 625.00 2 PWD, Exee. Eng. 3 (RN) Paraji-Goa. 4 Eugene Maria Abreu. 5 Irene Conception Cristalina Abreu.	
173/4 part	O: 1 Pitacuras Purificacao Lobo. 610.00 2 PWD, Exee. Eng. II (R.N.) Paraji-Goa.	
CR.:	2 H.O. Atmaram Babuso Harmalkar.	
Boundaries :		
North : S. No. 165/2, 168/1, 2, Road.		
South : S. No. 165/4, 169/1, 2, 170/3, Road.		
East : S. No. 173/4, 171/1.		
West : S. No. 166/2, 13.		
		Total: 5510

By order and in the name of the Governor of Goa.

D. M. Redkar, Under Secretary (Revenue-I).

Porvorim, 12th January, 2009.

Corrigendum

No. 23/24/2008-RD

Read:- Notification No. 23/24/2008-RD dated 26-09-2008 published on Official Gazette, dated 16-10-2008 Series II No. 29 on pages 802 to 803 and in two local newspapers "Herald" dated 02-10-2008 and "Gomantak" dated 03-10-2008 regarding L. A. for construction of internal road at Devaddem in V. P. Shiroda in Shiroda Constituency.

In the schedule appended to the Notification referred to above, in the Survey No. 676/1 (Part) the name of "Pandurang Sadashiv Prabhu" may be read as "Dilip Vasant Prabhu".

The rest of the contents of above-referred notification shall remain unchanged.

By order and in the name of the Governor of Goa.

D. M. Redkar, Under Secretary (Revenue-I).

Porvorim, 9th January, 2009.

Corrigendum

No. 23/40/2008-RD

Read:- Notification No. 23/40/2008-RD dated 26-09-2008 published on Official Gazette, dated 16-10-2008 Series II No. 29 on pages 800 to 801 and in two local newspapers "Navhind Times" dated 30-09-2008 and "Goa Doot" dated 30-09-2008 regarding L. A. for construction and B. T. of road from Mestabhat to Talpone in V.P. Shiroda in Shiroda Constituency.

At para 1 of the above referred Notification, the purpose of the project i.e. "L. A. for construction and B. T. of road from Mestabhat to Temple in V.P. Shiroda in Shiroda Constituency" shall be read as "L. A. for construction and B. T. of road from Mestabhat to Talpone in V.P. Shiroda in Shiroda Constituency".

The rest of the contents of above-referred notification shall remain unchanged.

By order and in the name of the Governor of Goa.

D. M. Redkar, Under Secretary (Revenue-I).

Porvorim, 9th January, 2009.

Department of Town & Country Planning

Order

Ref.: PF/RJN/TCP-08-09/Pt./30.

Read: Order No. PF/RJN/TCP-08/PT/3963 dtd. 23-10-2008.

The deputation period of Shri Rajesh J. Naik, Member Secretary, North Goa Planning & Development Authority, Paraji-Goa is hereby extended for a further period of three months wef. 02-01-2009 to 01-04-2009.

Shri Rajesh J. Naik shall be relieved from the Planning & Development Authority, Paraji-Goa on 01-04-2009 to report to the Town & Country Planning Dept. (HQ), Paraji for further posting.

The deputation will be governed as per the rules in force.

This issues with the approval of the Government vide Ref. Note No. PF/RJN/TCP/07-08/Pt./4825 dated 26-12-2008.

By order and in the name of the Governor of Goa.

Morad Ahmad, Chief Town Planner & ex officio Joint Secretary.

Panaji, 2nd January, 2009.

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